

*The State of South Carolina
In The Court of Appeal*

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SEP 23 2026

S.C. SUPREME COURT

*Appeal From Florence County
Court of Common Pleas*

H. Steven DeBerry, IV Chief Admin Judge,

Case No. 2026-001848

State of South Carolina

Respondent

v

Christopher Lane

Appellant

Explanation Pursuant to SCACR 243(c)

The Appellant is Appealing a PCR proceeding that was ruled on by H. Steven DeBerry, IV the Chief Administrative Judge. Upon Filing his appeal the Appellant Included his explanation as required by SCACR Rule 243(c). However, The Clerk of Court Sent a Letter back to Appellant Letting him Know that his appeal has been Filed, Gave Appellant his assigned case #, and instructed the appellant to provide an explanation pursuant to SCACR, Rule 243(c). She then explained that the explanation must contain sufficient Facts, argument and citation to Legal Authority to show that there is an arguable basis for asserting that the determination by the Lower Court was improper.

Now at this time the Appellant will submit the explanation to the Court as required In the SCACR Rule 243(c), and as instructed by the Clerk of Court. The explanation is as Follows;

First, the Appellant Filed his first PCR application on June 4, 2008, alleging he was being held in custody unlawfully due to the ineffective assistance of his trial Counsel. The appellant Roud other issues and Tried to Amend his application by Filing an amendment with the clerks office, but she returned it to the appellant unfiled, with being ~~at~~ clock stamped. When the amendment come back to the appellant unfiled and undocked the Clerk of Court included a letter telling Appellant that he could not File the amendment because he had been assigned an attorney.

So Appellant wrote a letter to Mr. Charles T. Brooks, who was the Attorney assigned to Appellant's case, and told him / instructed him to file the Amended PCR. Yet PCR counsel failed to do so, PCR counsel even failed to present the issues at Appellant's PCR hearing which violated Rule 21.1(D). The appellant attempted to raise the issues / claims himself but the court did not allow him to because the claims / issues were not on his original PCR application, Counsel failed to amend the original Application, and the Clerk would not let Appellant amend it himself. By doing those things the Court, PCR Counsel, and the Clerk denied appellant his right to have all his claims adjudicated and addressed by the Court. Furthermore, Appellant was denied his opportunity and right to his one full fair bite of the apple.

Then in regards to PCR actions on March 26, 2015 the appellant filed his Second PCR application alleging additional Grounds + Claims of why he was being held in custody unlawfully. Those same claims are the claims that was in the PCR applications Amendment for the first PCR, but was never filed by the Clerk or PCR Counsel. A hearing was never held on the Grounds or merits + it was determined to be successive.

Now a 3rd PCR was filed and determined to be successive by the lower courts. The respondents alleged nothing but defenses, and they never refuted or

Denied any of the claims or evidence that I presented.

In The Case of James Robertson v State, 418 S.C. 505 the supreme court stated "Where a defendant alleges in a successive post conviction relief (PCR) application, Facts that would establish an exception to either the Statute of Limitations or the prohibition against successive PCR applications, and those Facts are not conclusively refuted by the record before the PCR Court a question of Fact is raised which can only be resolved by a hearing."

My Case is just like that. The Same thing happened. I alleged in a successive PCR application Facts that establish an exception to the Statute of Limitation and the prohibition against successive PCR applications and they were not refuted. So I should have had a hearing.

As a matter of fact everyone of my Claims + Facts that were presented are exceptions to the Statute of Limitation and the prohibition against successive PCR applications. I even explained that in the Supplemental Response to Conditional order of dismissal Filed Nov 13 2025.

To Finish the explanation and Fully explain the Facts for the court of appeals please see the attached Supplemental response to Conditional order of Dismissal because it is a Full explanation of the Facts, the Claims, and why I should have been granted relief. Keep in mind that nothing was refuted or denied thus pursuant to rule 8 it is deemed admitted to - pursuant to James Robertson v. State My PCR should have been denied, and a hearing held.